

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DERRICK CARDELLO-SMITH
and PATRICIA LEE
THOMPSON,
Plaintiffs,

v.

JPAY, LLC, *et al.*,
Defendants.

Case No.: 22-10340

Nancy G. Edmunds
United States District Judge

Curtis Ivy, Jr.
United States Magistrate Judge

ORDER DENYING AS MOOT PLAINTIFFS' MOTION (ECF No. 34)

On July 7, 2022, the Court ordered the Plaintiffs to show cause why this case should not be dismissed for their failure to serve their complaint on the defendants under Federal Rule of Civil Procedure 4. (ECF No. 10). Plaintiffs responded to that Order and undertook service of process of their complaint.

On September 21, 2022, they moved for an Order requiring non-party Ionia Maximum Correctional Mailroom Staff to turn over to Plaintiff Cardello-Smith returned green cards from the attempts at service of process. (ECF No. 34). The motion appears moot now because on September 29, 2022, green cards were placed on the docket from the "remaining defendants." (ECF No. 35). Thus, the motion is **DENIED AS MOOT**.

IT IS SO ORDERED.

The parties here may object to and seek review of this Order, but are required to file any objections within 14 days of service as provided for in Federal Rule of Civil Procedure 72(a) and Local Rule 72.1(d). A party may not assign as error any defect in this Order to which timely objection was not made. Fed. R. Civ. P. 72(a). Any objections are required to specify the part of the Order to which the party objects and state the basis of the objection. When an objection is filed to a magistrate judge's ruling on a non-dispositive motion, the ruling remains in effect unless it is stayed by the magistrate judge or a district judge. E.D. Mich. Local Rule 72.2.

Date: October 19, 2022

s/Curtis Ivy, Jr.
Curtis Ivy, Jr.
United States Magistrate Judge

CERTIFICATE OF SERVICE

The undersigned certifies that this document was served on counsel of record and any unrepresented parties via the Court's ECF System or by First Class U.S. mail on October 19, 2022.

s/Kristen MacKay

Case Manager

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